



**In the Missouri Court of Appeals
Eastern District
DIVISION THREE**

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|--------------------------------------|---|-------------------------------|
| SABRINA WATSON, et al., |) | No. ED91997 |
| |) | |
| Respondents, |) | Appeal from the Circuit Court |
| |) | of the City of St. Louis |
| vs. |) | 22052-10050 |
| |) | |
| TENET HEALTHSYSTEM SL, INC., et al., |) | |
| |) | |
| Defendants, |) | Honorable David C. Mason |
| |) | |
| and |) | |
| |) | |
| ASMA ZAINAB, M.D. and ANWER |) | Filed: December 22, 2009 |
| RAHMAN, M.D., |) | |
| |) | |
| Appellants. |) | |

OPINION SUMMARY

Asma Zainab, M.D. and Anwer Rahman, M.D. (collectively, "Doctors")¹ appeal the judgment entered upon a jury verdict in favor of Sabrina Watson, Bernice McDonald and Audrey Walker ("Plaintiffs") on their wrongful death action.

REVERSED AND REMANDED.

Division Three holds:

- (1) The trial court erred in denying Doctors' motion for judgment notwithstanding the verdict because Plaintiffs failed to make a submissible case.

¹ Tenet Healthsystem SL, Inc., Howard Place, M.D., Jason Brashear, M.D., George Matuschak, M.D., and Noel Rubio, M.D. were dismissed from this case prior to the commencement of trial. The only remaining defendants at the time of trial were Doctors.

- (2) The cause is remanded because outright reversal is inappropriate here, where the trial judge's interference in the questioning of Plaintiffs' expert effectively precluded Plaintiffs from making a submissible case.

Opinion by: Glenn A. Norton, P.J. Mary K. Hoff, J., & Lawrence E. Mooney, J., concur

Attorneys for Respondents: Kwadwo Armano and Vincent Banks, III

Attorneys for Appellants: Lawrence Smith and Aaron I. Mandel

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.